

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPELLANT: Frank Reisinger CONFIRMATION NO. 4346  
SERIAL NO.: 09/340,782 GROUP ART UNIT: 3621  
FILED: June 28, 1999 EXAMINER: Christine O. Sherr  
TITLE: "METHOD FOR THE DEPENDABLE TRANSMISSION  
SERVICE DATA TO A TERMINAL EQUIPMENT AND  
ARRANGEMENT FOR IMPLEMENTING THE METHOD"

**MAIL STOP APPEAL BRIEF- PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**APPELLANT'S REPLY BRIEF**

S I R:

In accordance with the provisions of 37 C.F.R. §41.41, Appellant herewith submits his Reply Brief in response to the Examiner's Answer dated September 6, 2007.

Before addressing the Examiner's responses to Appellant's arguments presented in Appellant's Appeal Brief, Appellant makes the general observation that the Examiner has again adopted the same procedure as throughout prosecution of simply repeating verbatim the language of each of the claims, followed by a set of string citations to locations in the Wright et al reference. The Board of Patent Appeals and Interferences is therefore no better informed than the Appellant as to exactly which components disclosed in the Wright et al reference correspond to the components in the independent claims, or perform the method steps of the independent claims. Appellant submits that if Appellant attempted to satisfy the requirements for a "concise" explanation of the subject matter defined in the claims by simply providing a set of string citations to the present specification after each

independent claim, Appellant's Brief would be returned as being non-compliant. There is no reason why the Examiner should be permitted to be any less specific than the Appellant in correlating the alleged correspondence between the claim language and the contents of the Wright et al reference, than Appellant is required to be in correlating the claim language with Appellant's specification. In fact, it serves no purpose whatsoever to require the Appellant to be so specific with regard to parsing the claim language to identify support in the present specification, if the Examiner is going to be permitted to be so much less specific in applying the teachings of the Wright et al reference to that claim language.

A similar vague approach has been adopted by the Examiner in responding to Appellant's arguments. At page 17 of the Examiner's Answer, the Examiner identifies a "first issue" as being Appellant's argument that nothing in the Wright et al reference discloses, teaches or suggests a "remote data center communicating with a terminal device." In response, the Examiner merely again cited the language at column 7, lines 57-60 in the Wright et al reference, and does no more than conclude that Wright et al "clearly contemplates a remote data center communicating with a terminal." Appellant responded to this contention on the part of the Examiner at page 16 of Appellant's Brief, but the Examiner did not respond in detail to those arguments. Appellant pointed out with particularity why it is clear that this passage in Wright et al cited by the Examiner, although acknowledging the possibility of the terminal MPU being remote from the actual terminal equipment, does not constitute a disclosure of teaching of something that is the same as, or even if the equivalent of, a remote data center as that term is commonly understood by those of ordinary skill in this technology. This is also made clear in the passages at column 8, lines

48-65 of the Wright et al reference, wherein it is stated that although the terminal MPU may be used for the handshake recognition procedure, it is preferable to have the procedure executed by the part which is actually dispensing the article of value, so as to leave the terminal MPU operable for general terminal operations. This is consistent with the further language in the paragraph cited by the Examiner, at column 7, lines 57-67, wherein even though the possibility of the microprocessor being remote from the terminal is noted, it is stated to be preferred that the procedure be performed with a secure microprocessor embedded in the actual value dispensing section of the terminal. This makes it even more clear that despite the use of the term "remote" in the passage cited by the Examiner, nothing resembling a data center, as that term is understood by those of ordinary skill in this technology, was intended by the use of that term.

The Examiner then identified a "second issue" at page 18 of the Examiner's Answer, as being Appellant's argument that the Wright et al reference does not disclose, teach or suggest, a method that is transmitted back to the card from the postage meter referring to the originally transmitted serial number or including any coded information that has been based on or derived from the originally transmitted number. The Examiner cited the procedure described at column 3, lines 37-59 of Wright et al, wherein the Examiner equated the data center with the microprocessor remote to the terminal, and equated generating a code with generating a second word at the terminal which is based on the "randomly generated object number." The alleged equating of the data center with a microprocessor remote to the terminal has already been addressed above, and the inaccuracy of equating these terms or components infects the Examiner's response to this "second issue" as well.

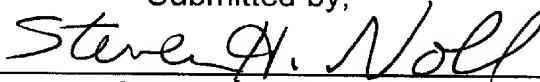
Moreover, the procedure described at column 3, lines 30-59 in Wright et al clearly refers to a "card" and therefore it is not even seen how the language previously cited by the Examiner, at column 7, lines 57-60 of Wright et al, could even be considered to be conceptually applicable to the procedure involving a card. As noted above, the language at column 7, lines 57-60 of Wright et al is the source of the Examiner's equating a "data center" (claim language) with a "microprocessor remote to terminal" (Wright et al).

Appellant therefore respectfully submits the arguments in Appellant's Appeal Brief are correct, and justify reversal of the rejections of the claims on appeal.

An oral hearing is not being request, and therefore transmittal of this Appeal to the Board of Patent Appeals and Interferences can proceed immediately.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,



(Reg. 28,982)

Schiff, Hardin LLP

**CUSTOMER NO. 26574**

Patent Department

6600 Sears Tower

233 South Wacker Drive

Chicago, Illinois 60606

Telephone: 312/258-5790

Attorneys for Appellants.